

**AMENDED – JUNE 15, 2016**

**POSTED – JUNE 15, 2016**

**REGULAR MEETING JUNE 20, 2016**

**TOWN COUNCIL OF THE TOWN OF MIDDLETOWN, RHODE ISLAND**

**The following items of business, having been filed with the Town Clerk under the Rules of the Council, will come before the Council at a regular meeting to be held on Monday, June 20, 2016 at 6:00 P.M. – Zoning Board Interviews and 7:00 P.M. Regular Meeting at the Middletown Town Hall, 350 East Main Road, Middletown, Rhode Island. The items listed on the Consent portion of the agenda are to be considered routine by the Town Council and will ordinarily be enacted by one motion. There will be no separate discussion of these items unless a member of the Council, or a member of the public so requests and the Town Council President permits, in which event the item will be removed from Consent Agenda consideration and considered in its normal sequence on the agenda. All items on this agenda, with the exception of the Public Forum Session, may be considered, discussed and voted upon.**

**Pursuant to RIGL §42-46-6(b). Notice – “Nothing contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the**

**members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.”**

**Any person not a member of the Council, desiring to address the Council concerning a matter on the docket of the Council, not the subject of a Public Hearing, shall submit a written request to the Town Clerk stating the matter upon which he desires to speak. Persons are permitted to address the Council for a period not to exceed five (5) minutes.**

## **PLEDGE OF ALLEGIANCE TO THE FLAG**

## **RECONSIDERATION**

**The Middletown Town Council follows the codification of present-day general parliamentary law as articulated in Robert’s Rules of Order Newly Revised 10th edition (2000), together with whatever rules of order the Council has adopted for its own governance. The motion to reconsider is one of the motions that can bring a question again before an assembly, and is designed to bring back for further consideration a motion which has already been voted on:**

**If, in the same session that a motion has been voted on, but no later**

than the same day or the next day on which a business meeting is held, new information or a changed situation makes it appear that a different result might reflect the true will of the assembly, a member who voted with the prevailing side can, by moving to Reconsider [RONR (10th ed.), p. 304-321] the vote, propose that the question shall come before the assembly again as if it had not previously been considered. (From Robert's Rules of Order Newly Revised In Brief, Robert, Evans et al., De Capo Press, 2004)

## **6:00 P.M. – ZONING BOARD INTERVIEWS**

### **1. Zoning Board Interviews:**

**Eric Kirton (Seeking reappointment - currently 3rd Alternate)**

**John Peixinho (Seeking reappointment – currently 2nd Alternate - requests consideration for regular position)**

**Henry A. Pine (Seeking reappointment – currently 1st Alternate)**

**Christopher Sousa (Seeking reappointment – currently regular member)**

**Richard P. Adams**

## **PRESENTATIONS**

**2. At the request of Council President Sylvia, Citation of the Council,**

**re: United States Marine Corporal Paul J. Berdy, Jr.**

**3. At the request of Council President Sylvia, Citation of the Council,  
re: Middletown Youth Soccer Club U14 Girls Soccer Team.**

**4. Presentation by Michael Baer, Rhode Island Infrastructure Bank,  
Senior Advisor to the Executive Director - Memorandum of Town  
Planner, thru Town Administrator, with enclosure, re: RI C-PACE  
Program.**

**5. Resolution of the Council, re: Designating the Town of Middletown  
as a PACE Municipality and authorizing the Town Administrator to  
execute the C-PACE Agreement.**

## **COLLECTIVE BARGAINING**

**6. Memorandum of Rosemarie K. Kraeger, Superintendent of Schools,  
re: Middletown Association of Auxiliary Personnel/NEARI/NEA.  
(Fiscal Impact Statement received by Council on June 6, 2016.)**

## **PUBLIC FORUM**

**7. Pursuant to Rule 23 of the Rules of the Council, Citizens may**

**address the town on one (1) subject only, said subject of substantive Town business, neither discussed during the regular meeting nor related to personnel or job performance. Citizens may speak for no longer than five (5) minutes and must submit a public participation form to the Council Clerk prior to the start of the meeting. All items discussed during this session will not be voted upon.**

## **BOARD OF LICENSE COMMISSION**

### **8. (Public Hearing Advertised; Abutters Notified)**

**Application of Newport Beach House, Inc. dba Newport Beach House, 53-55 Purgatory Road, holder of a Class BV Alcoholic Beverage License to expand the service area to include service in connection with privately hosted events, primarily wedding ceremonies on the patio and beach areas for the 2015-2016 licensing year.**

**9. Application of KJ's Restaurant, LLC dba KJ's Pub, 61 Aquidneck Avenue, holder of a Class BV Alcoholic Beverage License to TRANSFER said 2015-2016 License to KJ's Restaurant, LLC d/b/a KJ's Pub, for use at the same premises. (Requires advertising for public hearing)**

## **LICENSE**

**10. Application of Newport Beach House, Inc. dba Newport Beach House, 53-55 Purgatory Road, for expansion of Amusement License to expand the service area to include service in connection with privately hosted events, primarily wedding ceremonies on the patio and beach areas.**

## **CONSENT**

**11. Approval of Minutes, re: Regular Meeting, June 6, 2016.**

**12. Memorandum of Luly E. Massaro, Commission Clerk, re: PUC Docket No. 4614 – PUC Advisory Opinion Regarding Need of The Narragansett Electric Co., dba National Grid to Construct and Alter Certain Transmission Components in the Town of Portsmouth and Middletown (Aquidneck Island Reliability Project)**

**13. Memorandum of Robert M. Silva, Chairman, Middletown Economic Development Advisory Committee, re: Proposed Atlantic Beach Business Improvement District (BID).**

**14. Notice of Public Hearing from the Rhode Island State Planning Council, to consider adoption of a draft plan entitled “Water Quality 2035” to be held on Wednesday, July 13, 2016.**

**15. Application for Special Event Permit from Newport Yogis, LLC for**

**Full Moon Yoga to be held on Second Beach (Surfers End) Monday, June 20th, Tuesday, July 19th, Thursday, August 18th and Friday, September 16, 2016 from 7:30 pm to 9:30 pm.**

**16. Application for Special Event Permit from Newport FILM for an Outdoor film screening to be held at St. George's School Lawn, 372 Purgatory Road on Thursday, June 23, 2016 from 6:00 pm to 10:00 pm.**

**17. Application for Special Event Permit from the Cape Codders Chapter of Family Motorcoach Association for the Memorial Day Weekend Motorhome Rally to be held at Second Beach Parking Lot on Thursday, May 25, 2017, thru Monday, May 29, 2017.**

**18. Application of Kristina Gatta, Portsmouth for RENEWAL of a Tattoo License to be used at Troubled Soul and Company, 999 West Main Road for the 2016-2017 licensing year.**

## **PUBLIC HEARING**

**19. (Public Hearing Advertised; Abutters Notified)**

**An Ordinance of the Town of Middletown (First Reading)**

**An Ordinance in Amendment to the Town Code of the Town of Middletown, Title XV Land Use, Chapter 152 Zoning Code – Town's Zoning Map.**

## **ORDINANCES**

### **20. An Ordinance of the Town of Middletown (Second Reading)**

**An Ordinance in Amendment to the Town Code of the Town of Middletown, Title III Administration, Chapter 36 Fee Schedule, Section 33 Beach Fees.**

### **21. An Ordinance of the Town of Middletown (First Reading)**

**An Ordinance in Amendment to the Town Code of the Town of Middletown, Title III Administration, Chapter 34 Taxes, Section 34.01 Definitions, Section 34.02, Exemption on Residential Property and Section 34.16 Freeze of Tax Rate and Valuation.**

## **OTHER COMMUNICATION**

**22. Communication of Nancy L. Crockett, re: To discuss changing signage at the Dunlap Wheeler Park.**

## **TOWN COUNCIL**

**23. Communication of Councillor Viveiros, re: Development that may negatively impact the watershed.**



## **TOWN ADMINISTRATOR**

**24. Memorandum of Human Resources Manager, thru Town Administrator, with enclosure, re: Employee Handbook.**

## **BOARDS AND COMMITTEES**

**25. Email communication of Lisa Cinquegrana, re: Resignation from the Conservation Commission.**

## **EXECUTIVE SESSION**

**26. Executive Session - Pursuant to provisions of RIGL, Sections 42-46-2, 42-46-4 and 42-46-5 (a) (5) Land Acquisition (West Main Road) and (1) personnel (Non-Classified Municipal Positions).**

**Wendy J.W. Marshall, CMC**

## **Town Clerk**

**This meeting location is accessible to the handicapped. Individuals requiring interpreter services for the hearing-impaired should notify the Town Clerk's Office at 847-0009 not less than 48 hours before this meeting.**